

SOUTHERN SLAVERY

8.

CONSIDERED

ON

GENERAL PRINCIPLES;

OR,

A Grapple with Abstractionists.

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GENERAL PRINCIPLES.

"ALL men are *born* free and equal," says, in substance, the Declaration of American Independence. The intention of the instrument is simply to affirm, that, as all were *originally* "free and equal," their freedom or equality could not be destroyed except on sufficient reason; that, independent of controlling circumstances, it could not be taken away at all,—or, to use the term in the instrument itself, was "*inalienable*." It would argue, therefore, that every people, nation, kingdom and state, in its normal condition, is free from, and independent of, every other, and, *prima facie*, equally entitled to the right of self-government. Hence, that the interests of one community are not to be advanced at the expense of another without cogent and unavoidable reasons; and that, under the same circumstances, the same measure of freedom and equality belongs to one as to another. Thence proceeding to an application of the principle, the Declaration would assert, that no circumstances existed, which necessitated depriving the people of the colonies of any rights, which appertained to the people of England.

The proposition, in its application to the internal government of society, in like manner, expresses what is true, only in an original or abstract sense—that is to say, true apart, or *abstracted* from, all circumstances, that might in any way control, alter or modify the principle; which is all that is meant when we say that a thing is abstractly true. For example, a man commits a crime, and we straightway take away both his freedom and equality: and why? because the crime is a controlling circumstance, which, by endangering the peace and good order of society, has thrown us upon our right of self-defence. The case, therefore, has ceased to be an abstract one, and we cease to apply to it an abstract principle. We judge of it now with a view to the controlling circumstance which has entered into it, and we act accordingly.

It is evident, then, if our action be right, that what is *abstractly* true may be *concretely* false; that is, false, when *controlling circumstances* come in to alter or modify the abstract case. To give another illustration: I have no abstract right to peril the life which Heaven has lent me in a burning building; but if it be to save a fellow creature,

I not only acquire the right, but it becomes my duty. And thus, what was wrong in the abstract, becomes at another time both a right and a duty. To act conscientiously, therefore, requires an enlightened view of each and every controlling circumstance, which from time to time may enter into a question and destroy its abstract nature. Further instances might be multiplied, which to some minds, perhaps, may be more forcible than those already given. But I am only affirming the old saying, that "circumstances alter cases;" and clearly the abstract is one case, and the concrete quite another.

The inability to distinguish between the two, is the peculiar failing of the human intellect, exhibited in greater degree in weak, illogical minds, or imaginative and impassioned temperaments. We naturally look for errors of this sort among novelists, poets and impulsive orators; also among young people and enthusiasts. Those thinkers are rare, who are able to take into comprehensive view all the circumstances of the several cases as they arise, and to form their judgment, not from an abstract principle alone, but from a due estimate of the influence and bearing of all the facts in each particular case. Such men tower up at once above their fellows, and are recognized as the wise and prudent of the earth. If statesmen, they are appropriately called the men for the times. In opposition to them, are the whole tribe of petty politicians, hasty reasoners and wild abstractionists, who, failing to perceive the difference between questions abstractly considered, and when brought into juxtaposition with controlling circumstances, incline of course to narrow-mindedness, fanaticism and intolerance.

Abstractionists at all times are the bane of society; and the common prejudice against them is just and natural. They are sometimes known as one-idea people, from the pertinacity with which they cling to, and attempt to carry out, their one abstract idea, amid the constantly changing phases of life. Of facts or circumstances that destroy the abstract character of propositions, and necessitate new rules of action, they are perfectly oblivious. They will even deny point blank their possible existence. Sooner or later, this ardent faith in abstractions carries its possessors into all the *isms* of their day. Such men were the genius and soul of the French Revolution. They bid fair to become, in like manner, the pestilential gang that shall bring destruction to the greatness and liberties of America.

With regard to the question of the freedom and equality of man, these persons forget, that it is one thing to regard man abstractly as an individual, and quite another to consider him concretely as a member of society. If, for example, instead of in abstract cases, or without good and sufficient reason, as our Declaration of Independence affirms, it be asserted that liberty and the other rights referred to are absolutely

"inalienable;" if in fact mankind are perfectly free and equal under all circumstances; of course no government could have the contrary right of marring their *perfect* freedom and equality in the least respect or for any occasion. Therefore, no duties should be imposed, no taxes levied, and no one elevated to bear rule over his fellows. Each should be free to import and to export, and to enjoy equally his portion of this world and its goods; and all exclusive and unequal rights of property ought to be taken away. The liberty and political *status* of criminals, in like manner, should be left untouched. But the condition to which society would be reduced by this attempt to carry out abstract principles into consistent practice, must stagger the faith even of a Midshipman Easy.

Clearly, then, when mankind enter into social relations, and impose upon themselves the wholesome restraints of social order, they are no longer in an abstract condition. Obedience to the great duty of self-preservation, and of mutual protection and convenience, has driven them from the maintenance of their abstract rights; and they submit to the necessity of government and law; grateful, indeed, that their Maker has so ordained it. They are satisfied, nay obliged, to surrender a portion of their original freedom and equality, in exchange for the great blessings of security and protection.

But a thing cannot be claimed and surrendered at the same time: and our abstract rights, or a portion of them, being thus necessarily surrendered, we can no longer fall back upon them, and demand their recognition, and that too to the full measure and extent. Controlling circumstances must be kept in view; those, namely, which have caused Heaven mercifully to ordain governments for the good of man. And what are they? The want of security, the necessity of protection, the instinct of self-preservation, and also mutual convenience. So far forth, then, as these controlling circumstances have forced us from an abstract condition, to that full extent do abstract principles and rights cease to have an application. In short, the question is not, what is my abstract right? but how much of it have I surrendered? what did I surrender it for? have I fully obtained my object? has the surrender been too much or too little for the purpose? If clearly too much, then I demand back that portion which was unnecessarily surrendered: for I have received no equivalent therefor; and I have no right to throw away any of God's gifts. I can only yield them up for motives which He would approve. He approves of forbearance, indeed; and I will practice it, therefore, until forbearance shall cease to be a virtue. Then, however, but not till then, will I hold my liberties to be "inalienable;" for then, there will be no controlling circumstances in the case, and abstract principles will of course apply.

But if, on the other hand, society is in a state of anarchy, or is in danger of becoming so, my end has not been obtained; and the general good demands of me perhaps a still greater surrender. If so, with a conscientious view to all the circumstances of the case, and not basing my judgment upon abstractions alone, I will endeavor to make whatever sacrifices patriotism and my duty to my neighbor require of me.

And, after the manner of St. Paul, "my answer to them that do examine me is this:" "Am I not free?" "Have I not," abstractly speaking, "the power" to do this, or that, or the other? "Nevertheless, I have not used this liberty." "For necessity is laid upon me" by the controlling circumstances of the case; and I must render unto Cesar the things that are Cesar's. "Yea, wo is unto me," and to my neighbor, and to my country, if I obey not my conscience in this matter. "For, brethren, ye have been called unto liberty; only use not liberty for an occasion to the flesh, but by love *serve* one another."

Let us apply these principles. And first, with regard to ourselves. Are we maintaining or carrying out abstractions, which are tending to the overthrow of government, the breaking up of society, the destruction of its peace and good order, the bringing in of anarchy and ruin? Clearly we ought to surrender these abstractions. The general good requires the sacrifice, and it should be patriotically laid upon the altar. In doing so, we surrender no more than all men necessarily do in the social relation; namely, give up a portion of their abstract liberty of action, in exchange for the blessings of good government, and to avert from them anarchy and ruin. But if it be a duty, let it be done in all humility. Let us not defer it through pride, or strife, or vain glory.

And next, with regard to the slaves at the South. Is a greater surrender of abstract rights on their part enforced, than is necessitated by the controlling circumstances of the case? Ah! remember, that it is one thing for a person to answer this question in the quiet security of his domestic circle at the North, and quite another to live at the South, surrounded by the dear members of his family, and run the risk of having it answered for him, in a way that would appal his heart, however brave and noble its instincts. The peace of those beloved ones, if not the good of his country, and of the ignorant blacks themselves, would make him pause and ponder well, before removing from them the least restraint, which maddened abstractionists might dictate, lest he should thereby only expose more and more their unreflecting minds to the poisonous influences of his enemies.

Indeed, if the people of the North acknowledge the right of self-government, and the equality of the States in regard to their own domestic affairs, clearly the determining of this question belongs, not

to them, but to the people of the South only. And they *have* determined it; and their wisest, purest, most humane, and most generous-hearted men agree in the determination. Those at a distance, who have not the opportunity of seeing daily all the controlling circumstances of the case, should have the charity, if not the modesty, to allow, that so great a unanimity of sentiment among the wise and good men of the South, is strong proof that the question has been determined by them wisely and well.

The fact is, if man in the social state necessarily surrenders a portion of his individual rights, in order to obtain greater security and protection for the remainder, then the best form of human government is not that which is the most lax, or which exercises the least restraint upon the governed, or, in other words, which *offers* the most freedom, but the one that *secures* as much as is consistent with the actual circumstances of the case—in short, the one which most exactly adapts and proportions the amount of surrendered freedom, to the needed amount of security and protection. Hence, the respective forms of good government will be as diverse as are the different circumstances to which they are to be applied. As men rise in elevation of character, purity of morals, industry, and an enlightened appreciation of their social duties, the measure of surrender needed of them becomes proportionably less and less; and the greater their inferiority as a race or people, or the further they recede into barbarism, fanaticism, ignorance or vice, the greater will be the amount of individual rights necessary to be surrendered by them to ensure peace and good order to the community. Whether a government should therefore be a republic, a monarchy or an absolutism, depends entirely upon the condition of the people to be governed. In like manner, whether different races in the same community should enjoy equal political or social rights, depends likewise upon their relative condition and circumstances.

I have heard some people argue, that the negroes were in the first place wrongly and unnecessarily forced into slavery. Hence, they conclude, keeping them therein is a continuation of the wrong; and two wrongs cannot make a right. The fallacy of the argument will be apparent from a parallel illustration. One man makes another drunk, or drives him crazy, and then confines him in my house, without my consent. The argument is, that as the original cause which led to the confinement was wrong, I cannot in good conscience continue it, but am bound in justice to set the drunkard or lunatic instantly free, however injurious it be to the unfortunate fellow himself, and however much it may endanger the peace or safety of my family. The argument assumes the continuance of slavery to be wrong, *as well as* the cause of its existence. It assumes, therefore, the very question in

dispute, and is a palpable begging of that question. Two wrongs cannot indeed make a right; but we deny that they have shown two wrongs. One of the two is both a necessity and a duty.

The fact is, necessity knows no law; and when a man is *unavoidably* beset by stubborn facts, he is compelled to deal with them. His duty sternly requires it, and he can only repent of causes. Indeed, selfish man is sure to act practically, when a matter affects his personal interests or safety—he indulges in abstractions, only when it concerns the peace or welfare of his neighbors.

If then, my reasoning be correct, the business of government is with the actual facts of each particular case,—not with the causes that led to or produced those facts. The measure of surrender of abstract rights required of a people, is determined, not by the causes of their ignorance, fanaticism, degradation or barbarism, but by the actual extent to which those causes have operated—in plain words, by the precise amount of that ignorance, fanaticism, degradation or barbarism. It makes no difference, therefore, by what course of wrong and oppression a people may have been brought to the necessity of greater subjection. For the fact that a controlling circumstance was wrongly brought about, does not make it any the less a controlling circumstance. If the necessity exists, it is enough to justify the greater subjection, and this, without lessening in any degree the moral obliquity of those, who originally caused the unpalatable necessity.

The aim of the patriot, of the good citizen, of the conscientious man, should therefore simply be, to see that there shall be the least amount of surrender required, under the actual circumstances of the case, in exchange for the greatest amount of security and protection. If, in any way, consistently with the public good, he can elevate his fellow creatures as a whole, so as to render them capable of enjoying greater and greater privileges, it is his duty to do so; and whenever he assuredly finds a people or race, as a whole, elevated to a degree beyond the privileges which they enjoy, it becomes then his duty to restore such a measure of abstract, individual freedom, as may be commensurate to their additional elevation; always taking care, however, to avoid hasty action, and very great and sudden changes—in other words, to be fully confident of the additional elevation and qualifications of the people or race, before elevating their social condition.

Exactly to fulfil one's duty in these respects, would be to preserve that even balance between conservatism and progress, which is the constant aim of a good government, and of great and conscientious statesmen. And it is precisely our mode of dealing with our children. Thus, in the earliest periods of existence, however they may be abstractly "born," they are necessarily wholly deprived of liberty.

But we begin straightway that systematic training, which shall qualify them for the enjoyment of higher and higher privileges. As they grow up to be boys and girls, they may be allowed to run a little about the streets at their pleasure, but it is always under some restraint, more or less, according to the character and circumstances of the children, and the good or lax government of the parents. And it is only when they attain to the full vigor and maturity of manhood and womanhood, that we extend to them equal privileges with ourselves. It is nature's own teaching, coming down to us in that patriarchal form, which was the primeval origin of all government. And who, forsooth, talks to children about their abstract rights? yet if they are "born free and equal," and no controlling circumstance can affect what is abstractly right, why do we not allow them their boasted freedom and equality? The truth is, that as no two faces can be found, exactly alike in all respects, so no two human beings, perhaps, ever were born into this concrete world of ours, exactly the equals of each other morally, intellectually, or physically. Some are born with minds to govern, others with bodies to labor. The curse of our fallen nature has worked out for us this necessary inequality, along with all the other ills that flesh is heir to; and the pride of man must bend, with reverent submission, before the awful penalties of Heaven's violated law.

If, indeed, we could suppose a whole race to be born at once, all full grown men—perfect in every respect—in wisdom, for instance, like Minerva from the brain of Jove—without the least taint of human frailty—loving God, and each other, with all their hearts—performing, and ready to perform, every duty, which that love requires;—then, perhaps, we could prate to the full about abstract rights; for *then*, the race would be affected by no controlling circumstances, such as infancy, ignorance, infirmity, depravity, and the like, to mar the abstract principle of perfect equality. Such a race, like the angels of Heaven, would need no other government, than the moral government of their Maker: for they would be a law unto themselves. Nor are we to suppose that Heaven would ordain for them a civil government; for rulers are not a terror to good works, but to the evil. They ought, therefore, to be bound by none; and hence, would be born perfectly *free* as well as equal. And the nearer a race attains to this perfect standard, that is to say, the more removed it is from the influence of controlling circumstances, the nearer we are to the realization of the abstraction; and the greater, therefore, will be the freedom and equality to which the members of such a race will be entitled. Hence, the only application that the principle will bear to our imperfect condition, is simply this; that freedom and equality, in any particular, ought not

to be taken away without good and sufficient reason; and that, so long as the circumstances are equal, the measure of freedom and equality, to which each race is entitled, is also equal, and is neither more nor less, in any case, than is suitable to those circumstances.

Slavery, then, cannot be called unjust, simply because it interferes with freedom, or equality, or any other abstract right of man; provided there be any controlling circumstances connected with the existence of the institution to justify it. Indeed, as has been shown, if we assume that we may never interfere with the free will of another, to be logical and consistent, we must take ground against every human law whatsoever. The laws of property, the tariff laws, the tax laws, the laws to compel witnesses to give testimony, and otherwise to ensure the administration of justice, the criminal laws too, all interfere with freedom of will and of action. And yet we justify them, separately and collectively. And why? because we consider them necessary to the peace, good order, protection or welfare of society.

But if freedom may be interfered with in some cases, and to the full extent that it may be necessary to the peace or welfare of society, why not in others? Would society be equally protected, good order as surely prevail, and no disturbances of the peace ever arise, if four millions of an ignorant, inferior race were suddenly turned loose to shift for themselves, who had previously never been accustomed to have a care for the morrow? Would it not be far safer, and just as humane, to turn an equal lot of our boys and girls into the streets, instead of compelling the little, happy, thoughtless ones, to keep on serving their fathers and mothers, just the same, whether they be harsh or gentle? The cases are more analagous even, than at first sight might appear. For, until children arrive at the age of twenty-one, their parents have the entire property and control of their services and persons, and may inflict corporal or other punishment upon them; and they are protected in these rights, by the laws of every civilized nation on the globe. Nay, by the system of apprenticeship, or that of guardianship, they may convey these rights to others: And they may bring suit at law, and recover damages, for any violation of these rights of property in the services or persons of their children. To all intents and purposes, therefore, children, during minority, are under the same legal subjection as slaves. Hence, the language of St. Paul, "that the heir, as long as he is a child, differeth nothing from a servant, though he be lord of all." The principle is the same; only the thing is called by another name. In both cases, the peace, good order and welfare of society are alone consulted.

Indeed, in point of fact, slavery is to be justified or condemned, on precisely the same rules with all other human laws and institutions,

not even the punishment of crime excepted. 'The same arguments that are used in support of any one, apply with equal cogency to the others. The measure of severity with which each is to be enforced, depends also on precisely the same principles. And these principles are the necessity or controlling circumstances of the case. As, however, the right to deprive a criminal of his freedom is universally admitted, and as some might be disposed to think, that the alienation of "inalienable liberty," in this case at least, grows out of a right of the government to punish for moral offences, and therefore is not applicable to the case of a slave, who has committed no crime, I propose to consider the foundation of the criminal code more at length, and to show that it has precisely the same foundation with the slave code, as well as with all other codes and laws of human government.

Whence, then, does government derive the right of punishing criminals? The believer in revealed truth tells us from God; and the philosopher says, from the necessity of providing for the mutual defence, convenience and welfare. This, says he, is the first and great duty of human society, and constitutes the motive, aim and origin of all human government. Both the believer and the philosopher are right. While the one has contented himself with giving the Great Source of this, as of all other power, the other has gone further, and defined the extent of the power derived from that Source. The *believing philosopher* tells us, therefore, that God has not given to finite man infinite power, but that it has a limit; that human government is the minister of God to us for good; and that, as it clearly can never claim a divine right to do wrong, so neither can it exercise any greater power, whether by constitutions, "powers," "principalities" or "magistrates," than is necessary for the general good. Whatever is fitting to be done to ensure the peace, good order, protection or welfare of society, comes within the province of human government. Whatever is unnecessary to, or militates against, these ends, is usurpation and tyranny. Murder, theft, *public* drunkenness, (not private,) and the like, are therefore offences, of which human tribunals take cognizance, and against the commission of which, they have a power derived from God to protect society.

Observe, however, that they do not punish the criminal, because he has been guilty of a moral offence, no matter how gross it may have been, but only to deter him and others from the commission of offences, which endanger the peace of society. And even here, government may by its penal code warn, but never punish, in the strict signification of the word. It would be strange, indeed, if sinful man could claim the right to pass judgment upon, and to punish, the sins of his fellows! No! "Vengeance is Mine, I will repay, saith the Lord." The laws of God

are too pure, too wise, too holy, to be enforced by fallen creatures; and the Great Creator and Legislator of the Universe, is also the Judge of all the earth. The right to mete out justice for each and every moral transgression, is reserved to Himself alone. As for corrupt and puny man, he is solemnly forbidden to judge his brother at all, lest he himself should in like manner be judged. If, therefore, he will venture to cry out against the sins of his brother, it can only be in the language of the Psalmist, "Thou God, to Whom vengeance belongeth, show Thyself."

But, although the Creator has conferred upon men no jurisdiction over moral offences, and Himself only enforces His great first law of love, which includes the whole moral code, He has nevertheless given to mankind all powers necessary to their mutual defence and temporal welfare; and, to ensure a wiser and more faithful exercise of these powers, has ordained governments, which shall be the ministers to us for good, having for their objects the peace, good order, protection and welfare of all. Hence, not the higher law of love, nor its subordinate law of morals, but the mutual defence and temporal welfare are the first great laws of society, and the only divinely laid foundations of human government; and on these first laws all others "hang," and to enforce them all others are made. Every enactment, which truly tends to promote these objects, lies within the scope and power of human government, and has for its sanction the will of God; and proud man, with all his boasted abstract rights and privileges, must bow the neck in humble obedience. On the other hand, any enactment, which has not these objects in view, is a usurpation, even though it be in direct affirmance of the higher law of God. For, even if it were possible, man has no right to force a sinner to righteousness, and may neither compel his brother to obey God's law, nor rightfully punish his disobedience. On the contrary, the Great Maker of that law expressly declares, that His service shall be a free-will offering; and governments, as well as individuals, must abide by the declaration. In short, civil government, being only intended to minister to the good of man on earth, can claim no right to deal with crime *per se*, or apart from the temporal peace or welfare of society. If this be not disturbed, the government is compelled to suffer, as it cannot help, the degeneracy, corruption, and fallen condition of man. Nay! like Moses of old, for the hardness of men's hearts, it must often consent to, and regulate, (though it may never command,) practices, which are undoubted crimes, and as such utterly abhorrent to the pure law of God.

When, therefore, the question is purely one of morality or religion, and does not affect the peace or welfare of society, the Creator suffers no controlling circumstance to alter or modify our abstract freedom of

will, and we remain, as we were *born*, "free and equal." Any interference, in fact, by government in matters pertaining to the soul, or its eternal condition, would be a most dangerous usurpation, and an unqualified tyranny. Hence, the common saying, that "every man has a right to serve God according to the dictates of his own conscience." Not, indeed, that a man may refuse to hear the voice of his Maker, saying, "This is the way, walk ye in it;" or that he is right in choosing any other than the divinely appointed way; but simply, that he has a *social* right to follow his own conscience, independent of all coercion from individuals or governments. If alas! he be too perverse to serve God at all, or choose to serve Him according to the dictates of a perverted conscience, no man or government may interfere in any compulsory manner, so long as the peace or welfare of society is not disturbed. The right to choose rests with the individual, and with him also the dread responsibility.

Perhaps, in no period of the world's history, has the free-will and independent, though fearful, responsibility of individuals, in purely divine matters, been fully recognized and acted upon. Again and again, have the governments of the past attempted the enforcement of moral and religious duties; but only that bloody wars and bitter persecutions might attest the folly and wickedness of those, who presume to usurp power which God Himself has withheld from them, and has left to the free-will of the individual man.

The authority of human government is then limited and defined. It does not interfere, in the least, with God's exclusive sovereignty in the moral kingdom, but is delegated by him for other purposes and objects. It was not, therefore, because man was sinful, but because his sins interfered with the peace of his neighbor—not because he offended God, but because he endangered man—that "the powers that be are ordained of God." Hence, "Thou shalt not steal," is the law of human government, in order simply to protect society, and not in any sense to affirm God's law, or because it is a moral offence to steal. And so of the rest of the criminal code.

But, though the powers that be are divinely ordained, solely for the mutual defence and temporal welfare of humanity, and are thus limited in their nature and operation, still, of course, to carry out the purposes and objects for which they were ordained, those powers are ample, and sufficient to cover every necessity. Hence, however inalienable the rights of man are in abstract cases, governments rightfully may, and continually do, take away life, liberty, and the pursuit of temporal happiness,—yea! free speech, and the control of one's own person and services, or any other abstract right of man, whenever the peace, good order, protection, or welfare of society, really becomes so endangered as to

necessitate such measures. And so, at one time, men are either butchered by wholesale, or taken prisoners, in bloody wars; and, at another, citizens are shot down as rioters or rebels: Now, society hangs the murderer; and again, it immures the highwayman in prison walls, totally depriving him of liberty, and compelling him to labor as a slave for life, in the meanest and strictest of all bondage. And all these actions are just, and have the Divine Sanction, provided only, they be really necessary to the protection or welfare of society. So far from being sins, they in such cases become duties. But if they be unnecessary to such protection or welfare, no moral guilt, whether of nations or criminals, will justify them in the slightest degree. Vengeance belongeth unto God, and He will repay. It is not crime, therefore, *per se*, it is not the moral offence, in any sense, that justifies the taking away of life, liberty, or any other abstract right of man, by his fellows, but only the protection or welfare of society.

It is apparent, then, if slavery becomes, under any circumstances, in like manner necessary to the peace, good order, protection or welfare of society, it rests on precisely the same grounds, and is equally justifiable, with all other acts of human government, not even the taking away of the liberty of criminals excepted. Nay, moreover, if the one be in any sense a duty, the other is also. So that, in fact, instead of being a great moral wrong, under certain circumstances the sin would be, not in keeping a race in slavery, but in setting it free; just as, in the cases put above, it would be highly reprehensible to give freedom to the drunkard or lunatic, and thereby endanger the safety of the poor fellow himself, and of others in his vicinity, whom it was our duty to protect.

The reader will observe, in fact, that the argument is of the *a fortiore* kind. For, if the taking away even of *life*, or the immuring of a man in a state prison, at hard labor, all his days, is, because necessary to the protection and welfare of society, a power, belonging to human government, and received from God, much more, if the same necessity exists, is the milder deprivation of abstract rights, in the case of the negro, who can still walk the green fields, and enjoy the refreshing breezes and glorious sunshine, in happiness and content.

It is not my intention, in this article, to bring out to view the controlling circumstances that justify slavery as it exists in our country. Those controlling circumstances are patent, and very generally admitted. I have, therefore, confined myself to general reasoning; simply endeavoring to show, that if such controlling circumstances do exist, then slavery becomes as justifiable as any other human law or institution whatsoever; and that all alike depend upon the Divine Sanction, and

the facts, can acknowledge the correctness of the above reasoning, without inevitably, and by a logical necessity, coming to the conclusion, that the institution of slavery in the South is, as a whole, both just and humane.

I know that it is sometimes abused to purposes of oppression and vice; for what institution among frail human beings is not? but I have yet to learn that the abuse of a thing is any argument against its use—except, perhaps, among female novelists and reverend sensation orators. The divine institutions of husband and wife, and parent and child, are, in like manner, liable to abuse, and are abused; yet what one of us is so presumptuous, as to reproach the Divine Law-giver for ordaining those abused institutions, however much we condemn the guilty creatures, who thwart His beneficent purposes, and take advantage of His holy ordinances, for their own unhallowed ends. I am aware that there are selfish, wicked, harsh and cruel masters; and I am aware, also, that there are many, very many, selfish, wicked, harsh and cruel husbands, aye! and even parents. I rejoice to know, however, that the majority of husbands and wives, and parents and children, learn, from those very relations themselves, to be unselfish, pure, mild and benevolent beings: and I bless our Great Creator for His benign institutions, while I condemn, all the more, the hard-hearted creatures, upon whom His goodness and mercy will make no impression, and who receive His daily blessings only to abuse them.

But, if the institutions of the Wisest and Holiest of beings become, with some of His fallen creatures, only additional means of gratifying their wicked natures, surely we must not expect it otherwise with the institutions of those fallen creatures themselves, however wise or benign, upon the whole, they may be. If I find, therefore, that most masters are not selfish, or wicked, or harsh, or cruel, but, on the contrary, out of the domestic character of the very institution of slavery itself, derive a sort of patriarchal interest in the happiness of their servants, thus bound to them for life, and, by a mild and generous treatment, are ever seeking to gain the good-will, affection and faithful services of those servants; and that it is their interest to do so; and that even a great deal of the rigor which may be exercised by southern masters is, on the whole, necessary to preserve their servants from idleness and degradation, and also society from anarchy and ruin—am I to reproach the institution, or those who uphold it, because some bad men abuse it, and are too hard hearted, to be influenced by its patriarchal character? And if, further, I find the slaves, as a class, free from care, contented and happy—yea! happier than the hewers of wood and drawers of water of any other country on the face of the globe—

and, in fact, that the slaves of the more rigorous masters are better, more elevated and happier, than those of the more lenient, am I, in turn, to be reproached, for believing an institution which acts thus benignly to be humane, and aptly adapted to the circumstances and condition of the blacks?

It is a very common fallacy, to speak of the civilized world as so far advanced since the periods during which the Bible allowed of slavery, that, however merciful and beneficent a provision, it is confessed to have been, for the spiritual elevation of the heathen nations of those periods, modern civilization and progress will not brook it; and that it is manifestly wrong and improper, to uphold the institution against the sentiment of the civilized world.

Now, apart from the arrogance of considering the corrupt civilized world, as more advanced than faithful Abraham, who was called the friend of God, people make the strange mistake of talking, as if it were the civilized world itself, or a portion of it, that was enslaved, instead of the barbarous Africans, whose degradation and heathenism calls for the tutelage of the domestic institution, fully as much as ever did the Canaanites of old. If, therefore, it were true, that the civilized world is so far in advance of the holy patriarchs, that would only be an additional argument in favor of African slavery, that thus the inferior race might be mercifully brought under the beneficent influences of so superior a civilization, and might receive the greater care and tenderer consideration, that would naturally result from actual contact and relationship with it.

Modern civilization and progress not brook slavery, indeed! Then modern civilization and progress is but of doubtful virtue, and selfishly seeks its own advancement alone, regardless of the degradation of those by whom it is surrounded. And thus, while vaunting its superiority even over "the father of the faithful," basely shirks the irksome duty of elevating and civilizing inferior races, on the ground of that very civilization, which makes the duty of greater force! Thus did not Abraham.

And here let me expose another common fallacy of calling slavery a necessary evil, which ought not to be extended. There is an evil in the case, to be sure, and against its further progress, we ought, indeed, to labor. It is not slavery, however, but the fall of man, and the ignorance, barbarism, fanaticism and depravity, consequent thereupon.

To these miserable wounds, remedies must be applied. And the institution of master and slave is rather one of these necessary remedies, whereby fallen, degraded man is to be educated and elevated, and his best interests promoted. As well, therefore, might we call schools for the ignorant, medicine for the sick, and government for the lawless

necessary evils, and argue solemnly against their extension, instead of praising them as among our best blessings, and laboring to extend more and more their beneficial influences amongst us! When children, indeed, are no longer ignorant, we will not send them to school; when all men are well, we will not give them medicine; and when millenium days have come, and the kingdom of Christ is fully set up among men, its holy, happy citizens may, perhaps, solely enjoy the spiritual government of their Maker. In like manner, when science shall have rid mankind of the necessity for hewers of wood and drawers of water, and the negroes of the South shall have become (if ever) in morals, civilization, and an enlightened appreciation of their social duties, the equals of the whites, they will no longer be kept under the tutelage of slavery. Meanwhile, however, to make their tutelage more beneficent and effectual, the more of the white race they are diffused amongst the better, provided they still occupy their dependent relation; and he is no true friend to the negro of the South, nor to the white man either, who selfishly opposes the extension of the institution into any territory, into which Divine Providence permits it to enter and thrive.

An inspired apostle has consoled such of the more elevated white slaves of his day, as were also servants of God, with the reflection that they were the Lord's freemen; and directed them, not to care because of their enslaved condition, but to abide in the calling, though so low it be, in the which they were called: and this, notwithstanding their sufficient elevation, aided by the ennobling influences of Christianity, to use freedom rather, if a just opportunity were offered. (1 Cor. vii. 21.) This was the true doctrine of progress, hallowed by a mild conservatism, and a wise and noble forbearance; and tended to the peace and welfare of society, rather than to its overthrow. But how much more important and necessary is this yielding up of abstract rights, for his own and the public good, on the part of the ignorant and degraded negro! Indeed, in cases where the salvation, temporal or eternal, of the members of an inferior race, depends upon a life of constant bodily toil, in the lowest grades of society, the condition of domestic servitude seems to me necessarily the best; inasmuch as it frees the laborer from pressing cares of a temporal nature, provides him with those comforts and necessities, which are the great sources of contentment, especially in feeble capacities, and, at the same time, puts a wholesome check upon his more developed animal propensities, by employing both his mind and body, in moderate, simple and cheerful labor.

Roman slavery, at any rate, in the days of St. Paul, was not incompatible with the true interests and spiritual freedom of the white bondman;—and much less is American slavery now with those of the negro. Indeed, the latter, even in an earthly sense, in comparison with the

white laborer of the North, is practically, if not theoretically, the freer man. For his mind is not so wholly harassed, nor his body so inevitably subjected to constant toil, to satisfy the pressing demands of cruel necessity, and that sternest of masters, daily hunger. And even in times of commercial and financial distress, he is not, like other laborers, suddenly thrown from his employment, and left to beggary and starvation: but production continues to go on the same as ever, and the interests of the individual and of the community are equally preserved. And when, through sickness or calamity, the master has been brought low, the master suffers, but his slave is necessarily disposed of to another who is able to provide for him. If the slave himself becomes sick, or aged, or infirm, or blind, or maimed, instead of being left to the cold and uncertain charities of the world, he is kindly nursed and his wants supplied. Indeed, I think that provision is very generally made by the statutes of Southern States for the aged and infirm slaves of an estate, before the children and heirs-at-law can come in for their portions. And as for the involuntary separation of slave families, of which so much is said, I venture confidently to affirm, that there are far more *involuntary* separations daily taking place among the poor white families of the North! and in these latter cases, the desponding laborer goes forth with a weight of anxiety as to his future subsistence beclouding his brow, in addition to the pain of separation oppressing his heart. Moreover, at the South, slave families are constantly kept together from compassionate motives; while, at the North, the benevolent hand is stretched out to aid emigrations from the heavily burdened laboring family, rather than to preserve its domestic unity. Involuntary separations belong, in fact, to the world, and to time; and no condition of life is free from them. They are not, therefore, properly chargeable to the institution of slavery, which, even counting all its abuses, rather tends, on the whole, to diminish the number of them.

But let the reader particularly observe, that, at the South, the race taken care of and benignantly provided for in a state of slavery, is an inferior one, and has been thus kindly treated in consequence of its very subjection, and of that alone; and in spite of a strong antipathy to them on the part of the dominant race;—an antipathy, whether right or wrong, which nothing but this patriarchal relation could overcome! Does not our own experience tell us, that, without this subjection, if brought into contact with the white man, they sink to the lowest depths of degradation, and become a nuisance to society; having little or no self-respect to sustain, and scarcely a worldly motive to stimulate them?

And why, indeed, should it be otherwise? For, by unnaturally placing the inferior and superior races upon the same footing, and

taking away all acknowledged dependence of the one upon the other, you but leave them, without any relative obligations and responsibilities, to the uncontrolled operation of the laws of self-interest. The poor negro is thus deprived of any special care and consideration on the part of the white man, and abandoned to work out his own destiny, in an irrepressible, but hopeless competition of conflicting interests, with all the energies, talents, moral powers, preferences, prejudices and antipathies, of his superior white brother. It would need no prophet to foretell his inevitable degradation, and the wasting away of his race, like that of the poor Indian—and alas! also, with his increasing degradation and incapacity for self-resurrection, the white man's increasing lust and oppression.

Indeed, the comparison of the condition of the slave, with that of the white laborer of the North, although I have not shrunk from making it, does not afford any just standard for judging of the vital necessity of the domestic institution of slavery, in the moral and temporal improvement of the blacks. For it does not follow, because a white laborer may get along, after a fashion, in a free competition with white laborers, that an inferior black would fare equally well, in the "irrepressible conflict" that emancipation would be sure to bring on. A more correct comparison, for our purpose, would be between the slaves of the South, and the free negroes of the North; and here, alas! we have already intimations in plenty, but only intimations, in the wasting, demoralized condition of the negroes of the Northern States and Canada, of what would be the result of giving freedom to the slaves. And one striking proof of the degrading tendencies of freedom upon the blacks, is brought before our very eyes by the circumstance, that the proportion of free mulattoes is always far greater than the proportion of slave mulattoes; and that the proportion, also, of mulattoes in the non-slaveholding States is greater than the proportion of mulattoes in the slaveholding States. An undeniable fact of this kind has a far more important bearing upon the general question, than any isolated instances of lust and oppression, which may be cunningly wrought up into a horrifying picture, by the glowing pen of the novelist, or the burning words of the orator. The statesman or logician never expects, that the wisest of human institutions will rid the world of lust and oppression. He confines his attention, therefore, to a comparison of general results, and, however much he may regret individual wrongs, he does not mislead his judgment by dwelling too prominently upon them. I should mention here one more general fact, which is also undeniable, and bears upon this branch of the question. It is the wasting away of the free negroes of Northern States, coupled with the rapid multiplication of the slaves from natural causes, notwithstanding the constant emigration of the race from the South to the North!

But, even in a comparison of the happy and contented slaves, with the indolent, ill-humored and demoralized free blacks of the North, we do not fully solve the problem of emancipation. For a few thousand worthless, depraved negroes might, perchance, find a scanty subsistence among whites, where labor was in demand, and little opportunity was afforded for bringing out a close competition, with all the preferences, prejudices and antipathies of the superior race; but let the population of the country go on increasing, as heretofore, both of whites and blacks, until, by a favoring immigration, and the density of population, the supply of white labor begins to get in excess of the demand, and what is to be the fate of, not the few thousand, but your millions of emancipated, miserable negroes, in the then formidable competition for labor and bread?

Even in cases where the black element has vastly predominated, and they have succeeded in driving out the whites, have we not the experience of a St. Domingo, of Jamaica even, and other Islands? Is not the evidence of the miserable effects of emancipation full and overflowing—stronger, far stronger, than that which we act upon in the other questions of ordinary life, where our prejudices or preconceived notions are not so intimately concerned?

For my part, I fear emancipation, whether immediate or gradual, to be a most dangerous experiment, so long, at any rate, as the two races are kept in contact with each other. The inferior race is sure to sink, as soon as its dependence upon the dominant race is cast off. It will have no sufficient incentives to exertion, no self-respect to preserve. With the antipathies of the dominant white man all against them, and themselves totally destitute of any pride of race, with no energy, even if they had the will, to contend against public sentiment, and being also in a hopeless minority, as a people, they would necessarily sink to the lowest depths of degradation and vice. A few exceptional cases might exist among them—a Christian, perhaps, who had learned not to depend upon worldly motives for exertion; or some erratic meteor of individual power flashing wildly across the darkness of their night—only this, and nothing more. But for the race, and that is what it is the duty of society to consider, God help them!

Indeed, one great reason why the christian mind of the South is in favor of revolution, is because the future of the negroes, as well as that of the whites, is perilled by the domination of sectional abstractionists, and, more especially, by the territorial policy of the North. For it cannot be too strongly enforced upon the conscience, that, in considering the welfare of society, the colored race, though in an humble condition, do not any the less form a part of society. The conscientious legislator ought always, therefore, to consider the bearing of his

measures upon the true interests of these people, as well as of the whites, and the more so, because of their inability to take care of themselves. And it is on this very principle that the Constitution of our country gives to the slaves, through those, who are supposed to be, and are, most interested in their welfare, a representation in the halls of the National Legislature. The error is, in not giving the whole race a representation, instead of but three-fifths of them. If this act of justice had been done them, the evil day of our country might have been still longer, if not wholly deferred.

And it is no valid objection to say, that, having been made property, they ought not, at the same time, to be represented as persons; especially, since the objector, as a general rule, denies most inconsistently, that they *are* property, or have been made so by the Constitution! But, supposing them to be property, can an abstractionist, forsooth, affirm, that a slave is not entitled to any of the rights of a man? My only reply to him, therefore, would simply be, but they *are* persons; you admit it the same as I; and if persons, you should permit them to be represented as such, whether made property or no; the same as are the females, children, negroes too, and other non-voting population of the North.

For, in arguing that a person may become property, I do not, therefore, argue, that he ceases to be a person, or to possess any personal rights. On the contrary, I would oppose the crushing influences of abolitionism, which is cruelly, but necessarily, depriving the slave of the personal rights yet remaining to him; and I would give his personal rights a full representation in the government, which is over him as well as others, through those who feel an intelligent interest in his welfare.

And to the objector, I would say, it is not logical, nay it is tortuous, eel-like, for men, at one time to bluster, because *property* is being represented, and at another, when it suits a purpose, to claim that the negroes are not property, and have never been made so; but are *persons*, and that the rights of persons, under any and all circumstances, are inalienable; and for the same men, at still another time, as though not content with one glaring inconsistency, to proceed still further to stultify themselves, by taking both these positions with interest, and affirming, unblushingly, that slavery is a most wicked *property* in the *bodies and souls of men*!

What sophist first propagated that folly about the master having a property in the soul of his slave, I do not know. I presume, however, some hot-headed orator, mounted upon his high horse, and endeavoring to ride rough-shod over the sensibilities of his hearers, by talking, in inflamed and stilted language, about one's inalienable manhood,

and the horrid idea of owning the soul of another! As though any human law, even if the will were there, could possibly create ownership in the invisible, immortal soul—that soul, whose workings are inward and unseen, and which God has created so perfectly independent, that even He Himself will take only its free-will offerings! If the human soul, indeed, were not thus independent of control from without; if it were not endowed with an inalienable free-will to choose evil or good, to serve God or Mammon; if it were not the perfect master of its own actions, and so unalterably made, beyond all possibility of involuntary enslavement; then would our Heavenly Father be most unjust; for He holds every human being, slaves and freemen alike, to a fearful, individual responsibility, under all circumstances, and in the midst of all temptations; and brings every thought into judgment, whether it be good, or whether it be evil! Oh, what deep meaning there was in St. Paul's expression, that even the Roman slave was the Lord's freeman!

It is all very well, then, to appeal to our sympathies, and to endeavor to blind the judgment, by talking largely of the horrid wickedness of owning property in man; and all this may do, perhaps, for our next attempts at popular oratory or fiction; but we must take good care not to let it out, that, as a matter of moral certainty, for one man to own the soul of another is an utter impossibility; and that, therefore, our apparently sharp-looking point is, in fact, no point at all.

If, however, leaving the soul, and coming back to the body, we mean by the horrid wickedness of owning property in man, to denounce property in men's *involuntary services*, then I fear, that all of us alike must plead guilty to the charge. For our whole race has been involuntarily earning its bread by the sweat of the brow, ever since the curse descended upon it; and every time we hire a needy laborer, we have a property in men's involuntary services. And if this instance be objected to, because the laborer gives his consent, I reply, true, after a fashion; and so does the negro slave; and both are forced to do so by the controlling circumstances of the case. And, while the cunning, light-hearted black slave is let off by the owner, with but half his labor, the unfortunate white one finds no escape from his severer task-master; but, by day and by night, in sickness and in health, in season and out of season, he bears the penalty of the race, and works, works, works, under the un pitying lash of poverty and hunger. And this, men call freedom! and the other, slavery! Oh, how much there is in names! But what sort of property, forsooth, have we in our wives, when wedlock's chain clanks a little harshly? and what sort have we in our very children? Is there, really, among

us, no property in man, or in his involuntary services? Where, then, are our criminals? whose bodies are confined, and whose services the State coolly appropriates, and even hires out whole prisons full of them to contractors; thus selling, without any body's guinsaying, the right to the *involuntary services* of our fellows! And this, as I have shown, not because of the moral guilt of criminals, but simply for the peace and welfare of the State.

Talk, then, as much as we please, abstractly, of the inalienable right of a man to his own labor and services; yet, just so surely as the controlling circumstance comes in, we, ourselves, immediately take away the "inalienable" right! and whenever we do it, that very instant, we claim and exercise a "property in man." We are, therefore, to make the best of it, a most *horridly wicked* people.

And while, moreover, we thus like to *talk* as much as we please, and yet interfere, for all that, with the very right of our neighbor, of which we are talking, we are not a bit the slower, as often as we find it necessary or convenient, to check other abstract rights of his, also, and, among others, even the boasted right of freedom of speech, or of talking as much as we please, of which we are, ourselves, so fond. Sometimes, for example, our wives tongues (I hope I do not slander them) are a little too long; or, at any rate, our children are given to tattling. And, even if we are pretty orderly at home—that is, in our own opinion—beyond all question, the "little member" of our neighbor, or of his wife or children, runs *too freely*. And some of us, perhaps, have thought it necessary to kick a fellow with too much *liberty* of jaw, out of our houses, or to have him arrested for slander. In short, freedom of speech, and all other abstract rights, are very good things for ourselves, or for the people in Borrioboola Gha; but, somehow or other, they don't seem to answer for our neighbor. Yet, surely, if they are not to be allowed, where but an individual is injured, *a fortiore*, they should be taken away, where whole communities are put in jeopardy by them.

Hence, would we indeed follow the golden rule? then let us concede to others the same right to restrain, alter or modify, abstract rights, which we claim for ourselves, and to the full extent that controlling circumstances may render necessary. And, perceiving that the institution of domestic slavery is demanded for the peace and good order of the South, and that it elevates, refines, and even dignifies the negro, when in contact with the white race, and makes him a happier and a better man; while, on the other hand, a state of freedom would be only nominal, and would, in reality, tend to sink and degrade him, let us learn to exercise a little restraint, also, over our own abstract rights, and acknowledge, that freedom of speech may sometimes be but another

name for licentiousness of speech, and, like all other unbridled freedom, may destroy the peace, and disrupt the very foundations of society.

But, whether we restrain ourselves or no, so long as hewers of wood and drawers of water shall be necessary to society, and so long as there are inferior races among mankind, and those inferior races are brought into contact with each other, the institution of domestic slavery will continue to be, as always heretofore it has been, necessary for the peace, good order, protection and welfare of society; and hence, will be a wise, just and humane institution. And the amount of rigor which may be justly exercised over the slaves, will depend entirely upon the unavoidable circumstances of the case, and may, unfortunately, be lamentably increased by opposition from without, and by this very unpitying freedom of speech, which we are so determined to exercise.

In conclusion, however, that I may part from the reader in good humor, allow me to suggest to him, a re-perusal of *Midshipman Easy*, before he takes another plunge into abstractions, or runs wild about the rights of man.

DECEMBER, 1860.